GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Endowments Department - The Andhra Pradesh Sri Simhachalam Varaha Lakshmi Narasimha Swamy Devasthanam Panchagramalu (Regularization of Occupations of Houses and House Sites) Rules, 2019 – Issued.

REVENUE (ENDOWMENTS-I) DEPARTMENT

G.O.Ms.No.232 Dated:07-03-2019

Read:

The Andhra Pradesh Sri Simhachalam Varaha Lakshmi Narasimha Swamy Devasthanam Panchagramalu (Regularization of Occupations of Houses and House Sites) Act, 2019 (Andhra Pradesh Act No.12 of 2019).

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ORDER:

The following Notification will be published in the Andhra Pradesh Gazette:

NOTIFICATION

In exercise of the powers conferred under Section 3, 4 and 12 of the Andhra Pradesh Sri Simhachalam Varaha Lakshmi Narasimha Swamy Devasthanam Panchagramalu (Regularization of Occupations of Houses and House Sites) Act, 2019 (A.P. Act No. 12 of 2019) the Governor of Andhra Pradesh hereby makes the following rules:.

Rules:

1. Short Title:- These rules may be called the Andhra Pradesh Sri Simhachalam Varaha Laskhmi Narasimha Swamy Devasthanam Panchagramalu (Regularization of occupations of Houses and House sites) , Rules 2019.

2. Application:- These rules shall be applicable to those occupants / encroachers who are in physical possession, by way of house or house site of the land belonging to Sri Varaha Laskhmi Narasimha Swamy Devasthanam, Simhachalam in the villages of viz., Adavivaram, Venkatapuram of Visakhapatnam (Rural) Mandal and Vepagunta, Purushothapuram and Cheemalapalli of Pendurthi Mandal of Visakhapatnam District, upto the year 2008 and continuing as such in physical possession of the same to till date.

3. Definitions:- In these rules, unless the context otherwise requires:-

(1) **"Act"** means The Andhra Pradesh Sri Simhachalam Varaha Lakshmi Narasimha Swamy Devasthanam Panchagramalu (Regularization of Occupations of Houses and House Sites) Act, 2019.

(2) **"Appellate Authority"** means the Commissioner of Endowments, Andhra Pradesh.

(3) **"Deity"** means Sri Varaha Lakshmi Narasimha Swamy, Simhachalam.

(4) **"Devasthanam"** means Sri Varaha Lakshmi Narasimha Swamy Devasthanam, Simhachalam.

(5) "**Executive Officer**" means Executive Officer of Sri Varaha Lakshmi Narasimha Swamy Devasthanam, Simhachalam.

(6)**"Panchagramalu"** means five villages viz., Adavavivaram and Venkatapuram of Visakhapatnam (Rural) Mandal, Vepagunta, Purushothapuram and Cheemalapalli of Pendurthi Mandal in Visakhapatnam District.

(7) "**Pre-determined Occupant"** means a person whose name or his ancestor's name is recorded upto the year 2008 as occupant/enjoyer/encroacher of house or house site in any official records like registered sale deed, proceedings and reports of Cabinet sub committee, Government Orders, records of Endowment Department/Sri Varaha Lakshmi Narasimha Swamy Devasthanam or any other such record of statutory/official nature.

(8) **"Regularization of Occupation by way of House or House Sites"** means Transfer of Right on the land occupied by the occupant by way of house or house site for which the title held with said Deity, on payment of the value fixed as per Section 5.

4. Extent of Occupation: In case of occupation by way of structure, the extent shall be calculated by taking into consideration of the actual extent covered by the structure and appurtenant land not exceeding the prescribed limits of setbacks as per norms of the Municipal Corporation and in case of House site, the extent shown in the name of each individual in the relevant documents for the purpose of regularisation. However, vacant bits of lands situated in the Green Belt Area shall not be treated as House sites for the purpose of regularization.

5. Procedure for filling of application:

(i) Any person who is a pre-determined occupant or who has reason to believe that he/she is a predetermined occupant either by way of house or house site in any of the lands of the Simhachalam Devasthanam in Pancha Gramalu may file an application in the proforma annexed to the rules within 60 days from the date of notification to be issued by the Executive Officer, Sri Varaha Lakshmi Narasimha Swamy Devasthanam, Simhachalam.

(ii) Every such claim should be accompanied with the documentary proof to establish his pre-determined occupation.

(iii) If any applicant is not himself the original pre-determined occupant and he is the legal heir of the original pre-determined occupant, he should mandatorily file necessary documents (sale deed or gift deed or will)/ certificate/ decree/ court order to prove his relation and inheritance with the original pre-determined occupant.

(iv) The application shall clearly mention the type of regularization for which the application is made i.e., 'by way of House or House site'

(v) The applicant shall also furnish sworn affidavit annexed to the rules, attested by a Notary stating that all the information furnished by him is true and if proved contrary he will be liable for civil and criminal action.

6. Enquiry on applications Related to regularization of occupation by way of House or House Sites.

(i) On receipt of the applications under rule 5, the officer concerned shall issue an acknowledgement with a unique number for further reference to the applicant.

(ii) The particulars furnished by the applicant should be made available to public by publishing the list in any conspicuous place in the village as well as in the Devasthanam Website.

(iii) A field level enquiry shall be conducted on every such application, with special teams to be constituted by the District Collector, Visakhapatnam for this purpose, with the staff of Devasthanam, Revenue & Survey Departments.

(iv) The purpose of the enquiry is to determine the present possession on ground and to ascertain the genuineness of the documents submitted by the applicants regarding the pre-determined occupation.

(v) Every such enquiry shall be conducted within a period of 45 days from the date of submission of application.

(vi) After completion of such enquiry, a report shall be submitted by the special team to the Executive Officer with specific recommendations on eligibility for "regularization of occupation by way of **House or House site.**

7. Submission of Report to the Land Regularisation Committee: After verification of the report of the field level committee with reference to the records of the Devasthanam, the office of the Executive Officer shall submit its remarks on each application for scrutiny of the land regularization committee.

8. Land Regularisation Committee: A Land Regularization Committee shall be constituted for the purpose of scrutiny of applications and for taking decision on the eligibility of applicants for regularization, with Joint Collector, Visakhapatnam, as Chairman, District Registrar, Registration and Stamps, Visakhapatnam, Member and the Executive Officer, Sri Varaha Laskhmi Narasimha Swamy Devasthanam, Simhachalam, Member Convenor. The Committee may invite any concerned department officer, if needed to the meeting.

9. Meeting of the Land Regularisation Committee: The meeting of the Land Regularization Committee shall be convened once in every 15 days.

10. Lists of Eligible and ineligible applicants: The land regularization Committee shall finalize the lists of eligible and ineligible applicants, separately.

11. Rates of Regularisation: After taking into consideration the recommendations of the committee constituted under Section 5 of the Act, Government shall notify the rates to be collected from the occupants for regularization of their occupation.

12. Notice for payment of amount: The Executive Officer shall issue a notice of demand in the format annexed to the rules, to the eligible applicants for payment of amount fixed for regularization of their occupation.

13. Payment of amount: On receipt of such notice, the applicant shall remit the total amount to the Devasthanam within the time limit and mode of payment as mentioned in the notice and shall submit his payment receipt / challan to the Executive Officer.

14. Rejection of application: On receipt of notice, the applicant does not pay the total amount mentioned in the notice before the expiry of the period, the application shall be deemed to have been rejected.

15. Issue of Occupation Regularisation Certificate: On payment of the regularization amount fixed, the Executive Officer shall issue "Occupation Regularization Certificate" in the format annexed to the rules to the concerned occupant / applicant within 15 days and such land shall be deleted from the prohibited list.

16. Record of Occupation Regularisation Certificate: A record of every such Occupation Regularization Certificate issued by the Executive Officer shall be maintained in all corresponding departmental offices preferably in online form.

17. Rights of Certificate Holder: The Occupation Regularization Certificate confers alienable right to the certificate holder over the land parcel or house on which regularization taken place as per the procedure under these rules.

18. Records of Urban Local Bodies: On issuance of such Occupation Regularization Certificate to the applicant, the title vested through Occupation Regularization Certificate shall be recorded in the respective Urban Local Body records.

19. Publication of Regularisation: After completion of regularization exercise and disposal of all claims, the entire extent that is regularized by way of house or house sites shall be published both in the villages and also in the District website and Devasthanam website.

20. Reasons for Rejection of application: For every rejection of application, the Executive Officer shall issue an order duly mentioning the reasons for such rejection.

21. Appeal: Any applicant aggrieved by the decision of the regularization committee / Executive Officer may file an appeal before the Appellate Authority within 60 days from the date of communication of such order.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDRHA PRADESH)

Dr. MANMOHAN SINGH
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The Commissioner of Printing, Stationery & Stores Purchase (Publication Wing), Andhra Pradesh, Government Regional Press Building, Mutyalampadu, Vijayawada-520 011 for publication of the Rules in an Extraordinary issue of the Andhra Pradesh Gazette, Dt:07-03-2019.
(He is requested to supply 50 copies of Rules to the Government and 100 copies to the Commissioner, Endowments Department, Government of Andhra Pradesh, Gollapudi, Vijayawada-521 225).
The Commissioner of Endowments, Andhra Pradesh, Gollapudi, Vijayawada-521 225.
The Executive Officer, Sri Varaha Lakshmi Narasimha Swamy Devasthanam,
Simhachalam. Visakhapatnam District.
The Collector & District Magistrate, Visakhapatnam.
Copy to:
Law (H) Department.
P.S. to Spl.Chief Secretary to Hon'ble Chief Minister.
OSD to Hon'ble Dy.Chief Minister (Revenue, R&S and Endowments)
OSD to Chief Secretary to Government.
P.S. to Spl.Chief Secretary to Government (Endts).
SF/SC.

// FORWARDED:: BY ORDER //

SECTION OFFICER

Contd …….(Annexure to G.O)

ANNEXURE

(To G.O.Ms.No.232, Revenue (Endts.I) Department, Dt:07.03.2019)

APPLICATION FOR REGULARIZATION OF HOUSE/HOUSE SITE

I/we …….. S/o/W/o …….. presently residing at …… do hereby state that I am/we are in occupation of the structure/house site in the land belonging to Sri SVLNS Devasthanam, Simhachalam since prior to the year 2008. The details are given below:

Application Acknowledgment No:
(To be filled by Office)

Applicant's Photo to be affixed

1.	Name of the applicant (IN BLOCK LETTERS)	:	
2.	Father's /Husband's Name	:	
3.	Aadhar Card No: (Xerox copy to be enclosed)	:	
4.	Electrical service connection number (if any)	:	
5.	Extent of occupation, as per the enumeration of the year 2008.	:	
6.	Serial No. and volume No. in the enumeration list of 2008 (For office use only)	:	
7.	Survey number & Name of the Village, wherein the occupation is situated	:	
8.	If there is any structure, nature of the structure (Pucca building / Tiled house / Shed/ Hut)	:	
9.	If there is structure, the same is being used for the purpose of (commercial/ residential)	:	
10.	Name of the locality/street etc	:	
11.	Nearest Land Mark	:	
12.	GVMC ward No. DOOR No, if any.	:	
13.	Documentary proof enclosed	:	

I am / We are ready and willing to pay the amount as may be fixed for regularization of my occupation.

I request the Regularisation Committee to regularize my occupation over the above said extent of land.

Signature of the applicant

For office use:
Remarks of Inspection Team:

AFFIDAVIT

(filed under rule 5 (v) of the A.P. Sri Simhachalam Varaha Lakshmi Narasimha Swamy Devastanam Pancha Gramalu (Regularisation of occupations of Houses and House Sites) Rules, 2019

Affidavit of Shri ……. Son/wife/daughter of …….. Residing at …….. (Permanent Address: ……..)

I, …… do hereby affirm that the information furnished in my application for regularisation of House/House site is true and correct to the best of my knowledge and belief and that nothing has been concealed therefrom.

Particulars of House/House Site

* Door No.……..,Ward No……,in Survey No.…….Village, ……Municipality consisting of square yards…….with a plinth area of ----------Square feet, within the following boundaries:-

North
South
East
West

that I will undertake that, if this declaration is found false, at any later stage, the allotment may be cancelled and I am liable for civil and criminal action.

DEPONENT

VERIFICATION

I, the above named deponent, do hereby affirm that the above given information is true and correct to the best of my knowledge and belief and that nothing has been concealed therefrom.

DEPONENT

Verified at ……..

on this…… day of …….

Seal of Notary Public.

* Strike out the applicable portion in clause 4.

(Affidavit is to be submitted on Non-Judicial Stamp of Rs.10/-).

Notice of Demand for Payment of Regularisation Amount

To
……
Address……..
……..
…….

An amount of Rs…….. is fixed for regularisation of your House/House site situated in Door No……..,Ward No……,in Survey No.…….Village, ……Municipality consisting of square yards……., of Sri Simhachalam Varaha Lakshmi Narasimha Swamy Devastanam (Pancha Gramalu).

This amount shall be paid within a period of…… days through ……Bank payable to the Executive Officer, Sri Simhachalam Varaha Lakshmi Narasimha Swamy Devastanam, Visakhapatnam.

In case, the total amount is not paid within the aforesaid date, your application for regularisation of the above house/house site shall be deemed to have been rejected.

Signature of Executive Officer

Place:……..
Date:…….
Office Seal:……

OCCUPATION REGULARISATION CERTICATE

Proceedings of the Executive Officer Sri Varaha Lakshmi Narsimaha Swamy Devastanam, Simhachalam.

Present: (Name)
Designation:
Pro. No. _____, Date:_____.

Sub: Sri Varaha Lakshmi Narsimaha Swamy Devastanam, Simhachalam-Regulairisation of occupation of House/House-site in Door No./Plot No. …….in survey No. ……..Village, ……Municipality, in…….. square yards. (Name of the Applicant)— Orders Issued.

Ref: 1. Application No. dated…….. of Sri/Smt…….
2. Resolution No. …… dated…… of Land Regularisation Committee.
3. Demand Notice, dated ……..issued by…….
4. Letter dated…….of Sri/Smt---------- (payment of amount) and Challan/DD No…….. dated……..

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The application submitted by Sri/Smt……..in the reference 1st read above for regularisation of his/her occupation of House/House-Site in the land of the Sri Simhachalam Varaha Lakshmi Narasimha Swamy Devastanam in Sy.No…….. of …… Village, has been examined by the Land Regularisation Committee with reference to the Sri Simhachalam Varaha Lakshmi Narasimha Swamy Devastanam, Pancha Gramalu (Regularisation of occupations of Houses and House Sites) Rules, 2019 and found that the applicant is eligible for regularization of his occupation of the said house/house site as shown below:

Sl. No.	Details
1	2
1	Name of the Applicant
2	Postal Address a. Door No. b. Plot No. c. Street/ locality d. City/Town/Village e. Pin Code: f. Regularisation Amount fixed. g. Amount Paid. h. Remittance Mode. i. Date of Remittance
3	Details of the House/House-Site Regularised: a. Survey No. b. Door No./Plot No. c. Lay-out, if any. d. Street/Locality. e. City/Town/Village. f. Plot Area. g. Bounded by East: West: North: South:

Therefore based on the approval of the Land Regularization Committee vide Resolution No. ……. Dated…..... the Executive Officer, SVLNS Devasthanam, Simhachalam hereby issued Occupancy Regularization Certificate duly relinquishing the rights of the Devasthanam what so ever in the above schedule land in favour of Sri/Smt.....S/o./W/o. .....for an extent of .....Sq.yds situated at Sy.No..... of .....Village subject to the condition that the Devasthanam is not at all liable for any disputes over the site for which this Occupancy Regularization Certificate is issued between this O.R.C. holder and any other third party and they have to settle their dispute, if any, only through appropirate court of law. The Sub-Register, Gopalapatnam is requested to register the transactions in the above said extent of land alone, without further reference to the Devasthanam hereafter, duly noting the particulars as stated above in the documents to be executed by the individual holding this land.

Executive Officer
With Seal

To
Sri/Smt……..
Copy to
The District Collector, Visakhapatnam
The District Registrar, Registrations & Stamps, Visakhapatnam
The Panchayat Secretary/Gram Panchayat,